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PROGRAM Joel A. Spivak Show

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CITY Washington, DC

SUBJECT The Central Intelligence Agency

JOEL A. SPIVAK: How do you do?

This is Joel A. Spivak again. For the last two days, there have been a number of stories on television and in the newspapers regarding an Executive Order which is to be issued by the President of the United States which would change somewhat the charter of the Central Intelligence Agency for increased (technical difficulties) and there's some reason to believe that perhaps the CIA might be given a green light to operate domestically in some cases.

Now I think most people, at least in the wake of the Iran business, would like to see the CIA be a little bit -- have a little bit more clout than it has in the past. However, there are some questions about this Executive Order, so we thought we'd get some considered opinion from experts and then let you all say how you feel about all of this.

Now here is a gentleman by the name of John ~~Grainey~~ ^{GREANEY}, who is the Executive Director of the Association of Former Intelligence Officers. At one time, Mr. Grainey was with the Central Intelligence Agency as their Associate General Counsel.

Mr. Grainey, have you seen a copy of this proposed Executive Order?

JOHN ~~GRAINEY~~ ^{GREANEY} | No, I have not, Joel. My information with regard to this is that which has been in -- in both the "Star" and the "Post" in the last two days.

SPIVAK: Well, the "Washington Post" this morning says that they have obtained a copy of the proposed Executive Order, and it says that it

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would give the CIA authority to conduct -- I'm reading now, "[c]overt operations in this country, and to resume other intrusive practices such as surreptitious entry that were put off limits following disclosure of abuses in the mid-1970s." That is what the "Post" says.

Now I wonder, Mr. Grainey, if you can see any reason, theoretically, why the agency would even want to do something like that?

GRAINEY: Well, I would say that the other parts of that article, I think, deserve reasonable highlights as well, and that is that Admiral Inman, in his interview to the press yesterday, pointed out that this is a premature statement to say that there is a prepared Executive Order available. I think if you focus on his remarks that said that there was a need for change; the Administration asked for ideas, and that's what's in process is to solicit ideas from the community, and I think that really sets the stage because I don't think there's anything, as Mr. Silver was quoted as saying, "There isn't anything that can be considered as a draft at this point in time." I think it's a premature discussion of the issues.

Now, to get back to the question of what they have in mind

SPIVAK: Well, excuse me, Mr. Grainey, but if there isn't any such thing as a proposed draft, then what did the "Washington Post" get their hands on?

GRAINEY: Well, they're working papers, Joel. Believe me, it takes a long time and a lot of coordination to get an Executive Order together. There are many people in the intelligence community, of which the CIA is only one component, that would have their inputs to this -- the Defense Department, the FBI, the State Department, and CIA. But they all have to contribute because they all have various responsibilities that are needed to support the intelligence community. So I think that a paper that's put together could be a working draft to solicit ideas and comments from the other members. That's my opinion of what they're talking about in that newspaper article.

SPIVAK: Well, can you foresee a situation, Mr. Grainey, in -- in which the agency would want authority to conduct covert operations in this country?

GRAINEY: Certainly. If they were following a -- particularly in the counterintelligence field -- if circumstances were such that a member of a foreign intelligence service had been active overseas and came to this country, it would be much more practical for the Central Intelligence Agency to continue handling that operation in coordination with the FBI, but for them to continue the -- the operation if they started it overseas.

SPIVAK: But how about -- I -- Mr. Grainey, I'll be very honest

with you. I -- I have mixed emotions about this. We obviously need the agency, or at least in my opinion we do, and they've got to be as efficient as possible. This is not Polyana world we live in, but I guess I'm worried about some of the excesses that were committed in the name of national security like most other people are, and this business about opening mail and things like that bothers me.

GRAINEY: Well, I think if you really go back to the opening of the mail situation that this was done at a time when they had authority for counterintelligence operations that related -- the authority came under the National Security Council Intelligence Directives, which were referred to as nonskids (?) at that time, and gave the Central Intelligence Agency responsibility for counterintelligence on foreign intelligence services, and the mail-opening programs were directed against those pieces of mail to and from the Soviet Union, and there was no place outside the Soviet -- inside the Soviet Union that we could have access to their mail, and I think that this was a perfectly legal operation that was reported to the authorities, and it was -- it was done for a valid reason, to find out who was in touch with the Soviets and who was proceeding along their lines.

The Soviets, obviously, were opening all of the mail in the Soviet Union.

GRAINEY: Yes, except that -- well, it's almost -- every time I open my mouth it's almost a cliché, Mr. Grainey. You know, this isn't the Soviet Union, and I guess what worries me is that if the agency or the FBI or anybody else can do this without first going and -- and getting some validation from a court or something like that, you're going to run the risk of intruding into the lives of people who have absolutely nothing to do with international terrorism or international communism.

GRAINEY: Well, that's possible, but the question is what do you do with the information? That information which has no bearing on the -- on the program that you're concerned with you discard and you -- you don't exploit that information. You don't use it against anybody individual. I think it depends on the use of the information at a later date.

SPIVAK: Well you know, and I'm sure you don't countenance something like this, Mr. Grainey, but you also know that it's true that some of that information found its way into the hands of people who were using it to exploit other people for one thing or another -- you know, the details of somebody's sex life, and things like that that were obtained as a result of a -- of an investigation where somebody's mail was opened or tapped.

GRAINEY: Well I think those are exaggerated circumstances quite frankly. I don't -- I don't know of those first-hand.

SPIVAK: Well can you explain, then -- you mentioned opening mail

from the Soviet Union or putting known foreign intelligence agents under surveillance. I think everybody could understand why that would be necessary, but what about, for instance, theoretically, you know, somebody in this country is -- the CIA gets wind of the fact that somebody might be planning some kind of a terrorist operation, then the CIA could undertake on its own to put that person under surveillance, couldn't they?

GRAINEY: Well, that -- I don't think there's enough facts to make a judgment on that. It would depend on the nature of the individual. Bear in mind the jurisdiction is -- is quite clear between the FBI and the CIA. The CIA is the intelligence coordinating arm of the government, and if you've got activities that are foreign, that are related to foreign intelligence services and foreign international terrorist groups, and they've acquired information overseas, if they in turn lead back to the States there's an element of expertise about that group that would warrant CIA's involvement but, again, only in coordination with the FBI because the FBI has the domestic internal security responsibility.

SPIVAK: Well what I read, though, Mr. Graine, was that under the proposed Executive Order, and I say "proposed" just like you do because I haven't seen, and the "Post" has some kind of a draft of it, and I think there are other people in town who do, too, the Attorney General of the United States would not have the kind of authority that he does now to designate what kinds of surveillance or covert operations might be deemed necessary in the national security and what might not be. I mean, the agency -- it sounds like from what I've read here in the "Post," it sounds like the agency would be operating pretty much on its own.

GRAINEY: Well, I don't think that's true, and I don't it will happen. There are certain inherent constitutional powers that the President has, and if he designates the Attorney General to administer those particular powers in areas then -- then that's what the Constitution has always allowed.

I, quite frank, think that this is crying wolf before the circumstances -- before the facts are on the table. I think there's an element that would, as we discussed informally, that this, in effect, there's an element on the left that would consider this as a counterattack to get started even before they prepare the papers.

SPIVAK: That's entirely possible, Mr. Graine, but isn't it also possible that somebody -- whoever leaked this thing, and it was obviously a big fat leak -- to the press was obviously concerned either for the reason you state or for the possibility that civil liberties in this country, theoretically, could be violated if the agency went ahead without supervision from the Justice Department and conducted operations domestically in this country.

GRAINEY: Well, I think that is entirely too broad a statement based on the fact -- simply because we don't have the facts as to what the

Executive Order would state. I think Executive Orders are prepared with regard to the civil liberties of -- of each individual citizen.

We've heard an awful lot of criticism of the legislation that was proposed in the last session of Congress to protect the identities of intelligence personnel. The civil libertarians came screaming to the forefront and said that this would prevent the freedom of the press. Well, I -- I don't buy that argument. I think people have to be held responsible for criminal acts, and in my opinion that's a criminal act to expose somebody who's working for his government in a covert capacity, and I don't think the press should be the judge of what should or shouldn't be exposed.

SPIVAK: Well, that may very well be, and it is a fact, an irrefutable fact, I guess -- well, I shouldn't say that -- but it is a fact that an awful lot of people in law enforcement, and I presume in the intelligence community are roaring mad because the way things are right now, even if you wanted to, you couldn't penetrate some of these groups that -- that are -- I'm thinking specifically, Mr. Graine, of the time not too long ago, and I'm sure everybody remembers it, when an Iranian was murdered over here in Bethesda by a -- allegedly by a group of people who were hooked up somehow with the Ayatollah Khomeini and that bunch, and there was just no way evidently to penetrate that group because of restrictions that are placed on that kind of activity.

GRAINEY: I agree. I -- I think an even more drastic one was a couple of years ago when the Italian Prime Minister Morro had been kidnapped and assistance was requested and it couldn't be given because there was no evidence that it was, quote, "an international terrorist group," and to me those are limitations that I think are -- are absurd. I think that you have to be flexible.

That definition -- if you publish a definition, everybody's going to build an organization around that definition.

SPIVAK: So, in your opinion, Mr. Graine, the agency and our -- our intelligence services generally need a good deal more latitude in their operations than they have right now?

GRAINEY: I think there's -- there's need for improvement, yes. That's my opinion.

SPIVAK: OK. Mr. Graine, thank you very, very much.

GRAINEY: Thank you, Joel.

SPIVAK: All right. Bye-bye.

All right, now, that's one side of the coin. Now I want to know

what all of you think about this. And Mr. Grainey may be right, and it may be premature, but somebody leaked this thing. For what purpose, I'm not entirely sure I know. Maybe somebody listening does, but the draft of this Executive Order's been leaked and not only the "Washington Post" but the "New York Times" evidently got a hold of it and several other people.

Our phone number here is 966-8255, and the WRC time is 11:22.

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Our phone number here is 966-8255. And you're on WRC.

MAN: (Words unintelligible).

SPIVAK: You don't care if your privacy's invaded. You've got nothing to hide?

MAN: I've got nothing to hide and nothing that I'm ashamed of.

SPIVAK: OK. There's a man who doesn't care at all if his privacy's invaded because he's got nothing to hide.

All right, you're on WRC.

WOMAN: Hello, Joel?

SPIVAK: Hello.

WOMAN: Well, first of all, let's talk about the last question you had -- you said about who might have leaked such information. Well, isn't it possible that it was an intentional leak, that they might testing the waters as far as public opinions go?

SPIVAK: That's very, sure.

WOMAN: And, as a result, they could say that they wanted to see what happened and take it from there.

SPIVAK: Sir, (sic), you guess is as good as mine about where the leak came from. But that's certainly a possibility. That wouldn't surprise me at all. Do you have any feelings at all one way or the other about giving the agency, or, you know, the foreign intelligence services, our CIA and DIA and people like that?

WOMAN: Well, my feelings are that, as he said so far on your program, that we probably need such a thing. There are many things that we have to do in our lifetime that maybe we'd rather not do but are necessary, and I kind of view this in the same light. While I don't like the thought

necessarily of having somebody look over my shoulder all the time, I feel that there is possibly a need for this type of operation. Now, of course, one has to forth very cautiously. I think generally we've always felt in this country that the -- these types of our organizations were formed for our betterment as a nation. Now, of course, we tend to overreact in some ways. We think of other situations during the war, and so forth, where countries (words unintelligible) and took people into custody, and this sort of thing.

I guess one has to make an attempt to not to overreact and hope that the additional powers that may be gained from something like would be a positive lead, but still at some point if -- if the president and the powers that be thought that they were over-extending what amount of powers they were supposed to have that at that point they would at least step in.

SPIVAK: Well, my mind is racing, because there are so many aspects of this, obviously, quite aside the from the civil liberties issues. One of the problems historically, as far as the CIA is concerned, and I suppose as some of our other intelligence gathering operations -- DIA and others -- is that, I'm told anyway, that a lot of the other foreign intelligence agencies are loathe to cooperate with our people or give them information because the way things are set-up now, you know, every time you get ready to mount a covert operation you've got to go through all kinds of congressional committees and everything else and get authorization, and the chances of something leaking is terrific. So, the CIA kind of feels like they've been hamstrung over the last few years, but the reason that they were hamstrung was as of (sic) a direct result revelations about some of the excesses that they committed in the name of national security.

WOMAN: Yes, I agree with that. I -- I couldn't say otherwise, but it seems in our past history we go from mean to the extremes, and at those times I suppose we probably were going to some extremes.

But I guess we can't really totally disregard the fact that in some situations you have to be able to run some operation that's not exactly right out in the open.

SPIVAK: Well that's true.

WOMAN: Again, like I said, I feel that a big of latitude has to be given.

SPIVAK: All right, well that's what they -- that's what they want, and under this draft proposal that's what they very well may get.

Now, what are the rest of you thinking? This is a -- or something that seems to me that everybody ought to be -- well, I was going to say interested, but I won't say that word -- everybody ought to be concerned about in one way or another because currently, under the CIA charter, they

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are not supposed to work in this country. They can work overseas all right, but they're not supposed to work here.

Now, according to this draft that the "Washington Post" got a hold of, that would be changed. Is that a good idea? Is that what you want, or isn't it? Well, our phone number is 966-8255. Why don't you call Joel up and tell him what you think, because Joel would like to hear.

And now it is 11:31, and it's time for a WRC Newsbreak.

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SPIVAK: This is Joel A. Spivak again. So there's a 16-page draft floating around Washington which is a proposed Executive Order which the President theoretically could sign and implement later on in the year. And what this would do is give the Central Intelligence Agency, among others, powers to operate domestically to conduct covert operations in this country principally as a -- as a means of combating terrorism where it might be financed from outside the United States, or something like that, or -- or against groups that were cooperating with known terrorist organizations out of the country. But there are a lot of people who evidently are upset about this, and this thing was leaked. The proposed Executive Order was leaked, and the reason for the leak, I -- I don't know. Maybe some of you do.

But anyway, I want to ask you what you thought of it, what you thought of this idea, and our phone number is 966-8255. And you're on WRC.

MAN: Yes. I'm one of those people who's upset about it. I feel like the prospect of the CIA being loosed (sic) in this country is frightening. I think we're paving a way for a 1984 society. I think the Americans -- I mean, the CIA has said it's had its hands tied since after World War II, yet they've been involved in -- there've been revelations they've been involved in the J.F.K. assassination; they've been doing wiretaps domestically; they have been working hand-in-hand with the underworld figures, and I think, you know, they have press connections where they can, you know, disinform the public.

SPIVAK: Yes, be careful, sir, I may be one of them.

MAN: How about that? And I just don't think it means anything good for us in terms of our individual freedoms.

SPIVAK: Well, all right, let's take the statement that the first caller on this hour made. He said, "I don't care. I've got nothing to hide." That's what he said.

MAN: Well, that's, you know, that's all well and good, but who's

to say what -- what the CIA considers, you know -- what they consider something worth hiding? I mean, or something they consider -- information that they need, you know. I mean, it's for them to say.

SPIVAK: All right.

You're on WRC.

WOMAN: Hello.

SPIVAK: Hello.

WOMAN: May I -- I'm a little older, and I've seen a lot of activist activity, and I have been in part -- a part of it, too, especially the anti-Vietnam war things, the anti-freeway things. I remember World War II, and I lived in Europe a long time, and I believe myself that the CIA or any spying on the privacy of an individual in this country should not be permitted by law, and I believe that's what the Constitution means it to be.

And I have seen this government, in World War II, try to infiltrate the peace movement and to stimulate them to be violent so that they would be very much criticized, and later these people were unmasked. They went in and took all of our files, robbed things in our offices -- all of these things are the kind of things that make people who are borderline cases very paranoid because they think the government is after them just because they have an opinion about something that they're entitled to have.

They also did a great deal to stimulate racial animosity to try to break-up people who were united against something. For example, I remember in the freeway fight, and then the other businesses of people who are supposed to be your friends who are real -- who are trying to become friends of you that you later find out are associated with the government and are reporting your activities -- this is the kind of thing that makes a wonderful country like America lose what its real reason for being is. It's a freedom to think what you want about what you want to think about.

SPIVAK: Well, now, supposing I were to say to you that most people in this country would prefer to be protected against outsider influence of any kind, and if the CIA or the FBI cannot infiltrate organizations that are bound and determined to overthrow the existing government as we understand

WOMAN: We're not bound to overthrow the

SPIVAK: I didn't say you were.

WOMAN: Neither are these groups. There weren't out to overthrow the government. They were out to stop the war. I mean

SPIVAK: Well, now, you're talking about the Vietnamese war and I'm talking about international terrorist organizations which have very little to do with the Vietnam war protest.

WOMAN: Well, the government didn't see it that way. The CIA -- really, the CIA was mixed up in Vietnam War (sic). They were mixed up in World War II in the OSS, and they were mixed up in all kinds of government activities. After all, you have to remember that the government, as a whole, stands together against people when they feel threatened.

SPIVAK: Well I'm not going to buy that, see. I'm not going to buy that the government stands together against the people.

WOMAN: Oh, yes they do.

SPIVAK: It is true that -- that parts of the government tried to subvert the antiwar movement -- some parts of it. It is also true that parts of the government, notably a lot of elected officials, supported the anti-Vietnam War movement.

WOMAN: They shouldn't be giving us any trouble at all. We're the citizens of this country, and we ought to be able to run the country the way we want.

SPIVAK: All right.

WRC time is 11:40.

Now what do you folks honestly think of it? I wonder if there's anybody from the agency who's listening who has some feelings about it. I'd bet there are some people in the agency -- I wouldn't be at all surprised -- who have some serious reservations about conducting domestic operations.

Well, WRC time is 11:40.

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SPIVAK: All right 11:42.

Now here's somebody who might be a little apprehensive about what the CIA might be planning to do, or the President might be wanting to ask them to do. He is our old friend John Shaddock of the American Civil Liberties Union here in Washington.

Mr. Shaddock, have you seen the draft of this proposed Executive Order?

JOHN SHADDOCK: Well, we -- after it was discussed in the press,

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we -- we did get a copy, and I've seen it and I'm very disturbed about the implications that it has for civil liberties.

SPIVAK: Do I dare ask you how you got a hold of it?

SHADDOCK: Well, we -- we don't have any magical methods, but once it's gotten into the press, I think it's been obtained by a number of people.

SPIVAK: You wouldn't want to tell us from whence it came, now would you?

SHADDOCK: Well, I think you can assume that if some people in the press have it, we probably got it through them.

SPIVAK: Yes, but I mean the original source. I'm just trying to figure out who would have leaked it. I mean, what -- what

SHADDOCK: Absolutely no -- no knowledge of that whatever.

SPIVAK: OK, but, anyway, you sound a little bit apprehensive about it. Could you tell me why?

SHADDOCK: Well, what this proposal would do -- I'm not sure whether it's really in any way a serious proposal yet 'cause a lot of the people down at the CIA seem to be saying that they don't consider it to be serious yet. But it would be a major step backwards and, in some respects, would authorize more than has ever been authorized before in terms of the CIA spying on Americans in the United States. That has generally been assumed by everyone to be off limits for the CIA who are charged with gathering intelligence overseas. And not so many years ago, the Senate of the United States or the House was -- was very concerned about some CIA operations directed at Americans, at antiwar groups and civil rights groups.

What this Order would appear to do, if it ever were to come into final form, would be to -- to authorize all of that. Not so many years ago those were considered to be abuses of people's constitutional rights, innocent Americans and innocent corporations who could be targeted for infiltration and even wiretaps and so-called surreptitious entries or break-ins under the proposals that the press has been discussing in the last couple of days.

SPIVAK: Well, Mr. Shaddock, law enforcement people in this country tell me that they've had a terrible time in the last few years because of the fact that under the current restrictions you're not allowed to keep files on people who belong to groups that -- that have been stirring up trouble. You're not allowed to -- it's awfully hard for law enforcement agencies to cooperate with each other because you can't tap into somebody else's intel-

ligence files -- things like that -- and that, they say, has allowed some of these groups that are the borderline between being, you know, dissenters and being terrorists to run amok.

SHADDOCK: Well, first of all, we're not talking about law enforcement agencies here. The CIA was set-up not to be a law enforcement agency but to gather intelligence on -- foreign intelligence at that.

Second of all, the proposal that's been discussed in the press, would allow intensive and intrusive investigations of people who are in no way suspected of any criminal activity -- violent criminal activity or non-violent criminal activity -- but who are simply of foreign intelligence or counterintelligence interest to the CIA.

Under the Carter Administration, there was at least an effort made to -- to limit intelligence gathering from American citizens to people who were suspected of being agents of a foreign power, and the CIA was barred from doing anything against people in the United States. And there are very good reasons for that, because freedom of association and freedom of expression, as we understand them in this country, and have long defended them, require that people be free from intrusive government involvement in their lives in the form of intelligence gathering or spying as the kind that's under consideration here.

SPIVAK: Well what do you see that they could do here, Mr. Shaddock, besides putting somebody under surveillance if they get a tip from overseas that somebody might or might not be a friend of somebody they're looking for?

SHADDOCK: Well, they could break and enter a house or an office without a search warrant, if that is viewed as being necessary for foreign intelligence purposes. They could infiltrate organizations of United States people, corporations or private groups, like church groups or civil rights groups, or any groups for that matter. If it is thought that will be useful for foreign intelligence gathering purposes. They can gather a great deal of information in file and disseminate that information about American citizens who are not suspected of criminal activities, and they can get that information from non-public sources, not just from reading the newspaper or attending meetings, but from by gathering that data from non-public sources.

So, there are a lot of ways in which people's private lives would be severely intruded upon and their political activities limited and intruded upon.

SPIVAK: Supposing I were to make a statement here -- well, right now to the effect that I don't see the difference between us supplying the Salvadorian government with arms and the Russians -- well -- let me turn that around. I don't see any difference between the Russians supplying the Salvadorian rebels with arms and us supplying the Afghanistan freedom fight-

ters with arms, and somebody listening at the agency heard and thought this guy's a pinko and that went in my file, and then they put me under surveillance. Is that what you're talking about?

SHADDOCK: Yes, I'm not even sure it would be necessary to have that much -- that much information about someone to -- to have them go into their file. If someone innocently meets a -- a foreigner in a public meeting or a private meeting and they into a discussion about American foreign policy or other things that might reveal how that foreigner is -- is thinking, and that foreigner happens to be an employee of a foreign government, it would be possible to put the American under surveillance to find out he or she is finding out from that foreigner.

SPIVAK: Excuse me just a moment, Mr. Shaddock.

(Brief weather report).

I just had a man call me a few minutes ago, and he said, "I don't care if they do that -- they bug my phone or open my mail -- I have nothing to hide." What's your response to that?

SHADDOCK: Well, I think that is a understandable human response that all of us have. I mean, none of us like to think of ourselves as engaged in guilty activities, and many of the people who are touched by these proposals are certainly not guilty any way. But, on the other hand, when -- when information about you gets -- private information about you, your spouse, and you relations, and people whom you talk to everyday, and those people you work with gets into government files and then gets widely disseminated, it can be used to harm you in all kinds of different ways. There are just innumerable instances in which people have been hurt by private information which doesn't involve anything that they did that was guilty.

Also, we don't have to go back too far in this country where, you know, people were smeared because of their political activities, and what to some people may be perfectly innocent to other people may be outrageous. I mean the fact that, let's say, I'm a Republican working at the American Civil Liberties Union might be -- might be surprising to some people if that happened to be true.

SPIVAK: Are you a Republican working at the American Civil Liberties Union?

SHADDOCK: Well, in fact I am an independent.

(Laughter).

SHADDOCK: I was just putting that out as a -- as a hypothetical. So different people look at information in different ways. I don't think any-

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body likes to think that the government can come and enter into their -- their homes or offices without a search warrant if they're innocent.

SPIVAK: Well that guy who called me before wouldn't mind because he has nothing to hide.

SHADDOCK: Well, I think if he thought about it a little harder it's not that he wouldn't have anything to hide, it's just that he would it pretty annoying and intrusive to -- to be open to have the government walk across his -- his living room whenever it wanted to.

SPIVAK: All right, Mr. Shaddock, thank you very much for being with us.

SHADDOCK: Thank you.

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SPIVAK: OK, you're on WRC.

MAN: I would like to reply to the man who says he has nothing to hide. I like to discuss on a sort of philosophical basis, but I'm not sure it completely applies, but when children are growing up, one of the marks of a beginning maturing is the fact that they don't tell their parents everything. They -- they have secrets. This is a part of becoming a mature adult. And it seems to me that when the government becomes sort of a parent authority figure and has the right to examine our papers and get into our homes and our businesses, it puts in sort of a child-like relationship to it and has sort of a vague, chilling effect on our -- on our individual feelings about ourselves and our -- and our freedoms.

And I don't know anything particular about this proposal for the CIA, but I think that a government intrusion on our private lives should be limited as much as possible, with as little intrusion as possible, recognizing the fact that we do live in a very upsetting age with terrorism and what not going on.

SPIVAK: Well, I -- I, sir happen to agree with you on that, except, obviously, you know, you've got a very, very, very difficult situation here. You've got a situation where there are a lot of people running around in the world who are bent on hurting other people, and I think it's a perfectly proper thing for the CIA and the FBI and everybody else to be able to deal with those characters when the opportunity arises, but you've got a situation here where you're dealing with how far is too far.

MAN: Well, I wonder why the CIA and not the FBI. Is not that organization chartered to handle all of the domestic intelligence activity?

SPIVAK: Well, yes, they are, but even they have been somewhat

hamstrung as to what they can do.

MAN: Well, I don't have any, you know -- I don't have any final answer to it. It's just very disturbing because one of the paradoxes is the more we have to respond to terrorism the tendency is the more we become terroristic ourselves. I mean, it's a matter, as you say, of degree, how many -- how much freedom do we want to limit to get at these people who are out to harm us. As I said, I have no final answer, but I'm very suspicious of governments -- both ours and any other kind of government that is, you know, willing to look over our shoulders.

SPIVAK: Well, let me tell you, I think that's a very healthy suspicion on your part.

MAN: OK, thank you very much.

SPIVAK: You're welcome.

MAN: Bye.

SPIVAK: Bye.

You're on WRC.

MAN: Well, you've more or less expressed my opinion about it because I have some reservations about giving the CIA too much leeway, but at the same time I have some reservations about not giving it enough. It's very much in my opinion related to something like eliminating the undercover operations of the vice squad of the police department because it reveals that prostitution ring in New York or upper Connecticut Avenue in Washington that reveal a list of upper-crust clientele. Well, are you going to do away with the entire organization because one of the officers got sexually involved with one of the prostitutes? You don't throw it out as they do the dish water or the bath water, so to speak. You let it operate further for the benefits that you can derive from it.

But there is a very fine line that has to be drawn.

SPIVAK: That's the problem.

MAN: Yes, that's the only restriction I see. But you can't operate any other way.

SPIVAK: Another problem is you've got -- one of the things that the CIA says, anyway, that has hamstrung them is the fact that in this country we've got that Freedom of Information Act, and they claim that some of their operations have been undone or undercut by the fact that you can make

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a petition to the government and obtain files which in some cases might reflect on the national security.

MAN: Well, there you are. (Hangs up).

SPIVAK: Boom. He hung up on me.

I don't want the government opening my mail. I mean, supposing some beautiful woman writes to me and expresses in a letter some very romantic -- or calls me "Snookums," or something like that? I mean, I don't want that in the CIA computer. Well, it's true.

Well, all right, there's no point in going any further with this, but I can tell you one thing -- you're going to hear a lot more about this. There is going to be a lot of voices raised on both sides on this -- on this issue, and it's not one that's going to easily go away because the CIA has problems and they want to -- they want to do what they can about it.

At any rate, we're going to have the news now.

End.